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09/827,029	04/05/2001	James M. Barton	60097-0026	9852

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EXAMINER

DANG, HUNG Q

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2621

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

09/827,029

Applicant(s)

BARTON ET AL.

Examiner

Hung Q. Dang

Art Unit

2621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 December 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 131-286 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 131-286 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 April 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|----------------------------------------------------------------------------------------|-------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>See Continuation Sheet</u> . | 6) <input type="checkbox"/> Other: _____ |

Continuation of Attachment(s) 3). Information Disclosure Statement(s) (PTO/SB/08), Paper No(s)/Mail Date :04/06/2005, 08/15/2005, 08/16/2005, 08/29/2005, 01/17/2006, 02/27/2006, 03/29/2006, 05/10/2006, 02/12/2007, 09/18/2007, 12/12/2007.

DETAILED ACTION

Response to Arguments

Applicant's arguments filed 12/19/2007 have been fully considered but they are not persuasive.

At page 48, Applicant cites the Examiner's arguments as " it is noted that the device disclosed by Kawamura can be used to repeat the recoding process of many MPEG streams and their associated information as described in (2) and (3) into the recording medium. ... In other words, Kawamura clearly discloses "the storage device additionally containing a plurality of previously stored MPEG streams, starting locations of video frames within each of the previously stored MPEG streams and time stamps associated with the video frames within each of the previously stored MPEG streams," and argues that there is no support of such a statement in Kawamura. In response, the Examiner respectfully submits that even though Kawamura does not explicitly state that his or her device can be used to record different MPEG streams to the recording medium at different points of time, but one of ordinary skill in the art would recognize Kawamura does not teach a device that is used to record only one and only one specific stream then disposed.

At page 50, regarding claims 135 and 139, Applicant argues that there is no mention in Kawamura of "(1) wherein the selecting step substitutes a second storage device for the storage device and (2) selects a particular video frame from within a particular MPEG stream stored on the second storage device using a time stamp associated with the selected particular video frame or (3) switching to a second storage

device for MPEG stream storage.” In response, the Examiner respectfully disagrees. At column 1, lines 51-54, Kawamura discloses “the storage device can be a magnet-optical disc, a magnetic disc (hard disc), or other similar storage device.” Again, even though Kawamura does not explicitly state that the storage device used his or her device can be changed or substituted with another disc, but one of ordinary skill in the art would recognize Kawamura does not teach a device that is used to record only to one and only one disc. If the disc is full or broken due to reading errors or physically broken, then the device is disposed. This is also the case when the Kawamura's device is used to play a video stream on another disc, such as a DVD or VDC etc (Fig. 8). To ordinary people, it is common sense to substitute another disc or switch to a disc that recorded thereon a desired stream.

Also at page 50, the Examiner's response to Applicant's arguments regarding claim 140 is similar to those discussed with respect to claims 131 above, which is that the device can be used to receive another digital television stream of another program.

At page 50, Applicant argues that Kawamura does not disclose the features cited in claim 141. In response, the Examiner respectfully disagrees. At column 12, line 66 to column 13, line 10, Kawamura discloses a trick-mode playback operation, which is different from the first operation issued for playback. The trick-mode playback operation involves a rapid search that could be in either fast forward direction or reverse direction. When it finds a desired entry point, the frame at that entry point is selected, accessed, and sent to the video output (Fig. 8) for display. The destination can be determined by users. Depending on which monitor or TV set is plugged in, the destination is different.

Regarding claim 144, Applicant argues that Kawamura does not disclose "selecting a corresponding audio frame from within the particular MPEG stream that corresponds to the particular video frame and retrieving the selected corresponding audio frame from the particular MPEG stream as cited" in the claim. In response, the Examiner respectfully disagrees. One of ordinary skill in the art would recognize that the video processing of video signals taught by Kawamura is also applied to that of audio signals, which should be understood to be processed in parallel with the video signals in the similar way.

The newly added limitations in claims 131, 157, 170, 183, 196, 209, 222, 235, 248, 261, and 274 have been considered but are moot in view of the new ground(s) of rejection.

Information Disclosure Statement

The information disclosure statements filed 02/27/2006, 05/10/2006 fail to comply with 37 CFR 1.98(a)(2), which requires a legible copy of each cited foreign patent document; each non-patent literature publication or that portion which caused it to be listed; and all other information or that portion which caused it to be listed. It has been placed in the application file, but the information referred to therein has not been considered.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 131-136, 139-149, 152-162, 165-175, 178-188, 191-201, 204-214, 217-227, 230-240, 243-253, 256-266, 269-279, and 282-286 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kawamura et al. (US 5,719,982), Wagner (US Patent 5,600,379), and Takagi et al. (US Patent 5,999,691).

Regarding claim 131, Kawamura et al discloses a method for storage and display of multimedia data (Figs. 7-8), comprising the steps of: receiving a digital stream (col. 3, lines 56-67; Fig. 7); extracting from the digital television stream an MPEG stream that contains a plurality of video frames and time stamps associated with the video frames (col. 11, lines 40-67); identifying starting locations of video frames within the MPEG stream and time stamps associated with video frames (col. 11, lines 40-67); storing on a

storage device the MPEG stream, starting locations of video frames within the MPEG stream and time stamps associated with the video frames, the storage device additionally containing a plurality of previously stored MPEG streams, starting location of video frames within each of the previously stored MPEG streams and time stamps associated with the video frames within each of the previously stored MPEG streams (col. 11, lines 40-67); accepting a user control command (col. 12, line 66 to col. 13, line 10); in response to the user control command, selecting a particular video frame from within a particular MPEG stream stored on the storage device using a time stamp associated with the selected particular video frame (col. 13, lines 1-18); retrieving the selected particular video frame using a stored starting location of the selected particular video frame (col. 13, lines 11-44 and col. 14, lines 5-10); and sending the selected particular video frame for display (col. 14, lines 5-10).

However, Kawamura et al. do not disclose the digital stream to be a digital television stream; concurrently receiving, extracting, and concurrently storing at least two digital television streams.

However, Kawamura et al. do not disclose the digital stream to be a digital television stream.

Wagner discloses a digital television receiver that receives a digital television stream (Fig. 1; column 3, lines 48-50).

One of ordinary skill in the art at the time the invention was made would have been motivated to incorporate the receiving of the digital television stream as disclosed by Wagner into the method disclosed by Kawamura to record television signals so that

good programs can be reviewed at a later time. The incorporated feature would enhance the user interface significantly.

However, the proposed combination of Kawamura et al. and Wagner does not disclose concurrently receiving, extracting, and concurrently storing at least two digital television streams.

Takagi et al. disclose concurrently receiving, extracting, and concurrently storing at least two digital television streams (Fig. 13; column 17, line 65 – column 18, line 4; column 18, lines 12-21).

One of ordinary skill in the art at the time the invention was made would have been motivated to incorporate the steps of concurrently receiving, extracting, and concurrently storing at least two digital television streams disclosed by Takagi et al. into the method disclosed by Kawamura et al. and Wagner to implement multi-window display (Takagi et al., column 9, lines 40-46). The incorporated feature would allow viewers to watch a plurality of programs at the same time; thus, further enhancing the interface of the method.

Regarding claim 132, Kawamura et al discloses the claimed wherein the particular video frame is a video I-frame (col. 11, lines 53-67).

Regarding claim 133, Kawamura et al discloses the claimed wherein the retrieving step further comprises: adjusting video frame rate delivery for display of additional video frames in response to the user control command (col. 12, line 66 to col. 13, line 10); adjusting video frame retrieval direction from the particular MPEG stream in response to the user control command (col. 12, line 66 to col. 13, line 10).

Regarding claim 134, Kawamura et al discloses the claimed wherein the retrieving step further comprises: adjusting video frame rate delivery for display of additional video frames in response to a second user control command (col. 12, line 66 to col. 13, line 10); adjusting video frame retrieval direction from the particular MPEG stream in response to the second user control command (col. 12, line 66 to col. 13, line 10).

Regarding claim 135, Kawamura et al discloses the claimed wherein the selecting step substitutes a second storage device for the storage device and selects a particular video frame from within a particular MPEG stream stored on the second storage device using a time stamp associated with the selected particular video frame (col. 11, lines 40-67).

Regarding claim 136, Kawamura et al discloses the claimed wherein the extracting step extracts an MPEG stream based on a user control command (col. 3, lines 56-67).

Regarding claim 139, Kawamura et al discloses the claimed wherein the storing step further comprises switching to a second storage device for MPEG stream storage (col. 11, lines 40-67).

Regarding claim 140, Kawamura et al discloses the claimed wherein the receiving step further comprises switching to a second digital television stream (col. 11, lines 40-67) in the view that it can be used to record another television stream.

Regarding claim 141, Takagi et al. also discloses the claimed wherein the selecting step further comprises: in response to a second user command (column 16,

lines 37-52), selecting a second particular video frame from a second MPEG stream stored on the storage device (column 16, lines 37-52); wherein the retrieving step further comprises: retrieving the selected second particular video frame (column 16, lines 37-52); and wherein the sending step further comprises: sending the selected particular video frame and the selected second particular video frame to different destinations for display (column 17, lines 32-40, 56-64).

Claim 142 is rejected for the same reason as discussed in claim 141 above and in further consideration of Takagi et al. also disclosing sending the selected particular video frame and the selected second particular video frame to different areas within a display (column 17, lines 32-40, 56-64).

Regarding claim 143, Kawamura et al discloses the claimed wherein the storage device is a hard disk (col. 1, lines 46-53).

Claim 144 is rejected for the same reasons as discussed in claim 131 above and additional Kawamura et al discloses the claimed audio frame (col. 3, lines 47-51).

Claim 145 is rejected for the same reasons as discussed in claim 132 above.

Claim 146 is rejected for the same reasons as discussed in claim 133 above.

Claim 147 is rejected for the same reasons as discussed in claim 134 above.

Claim 148 is rejected for the same reasons as discussed in claim 135 above.

Claim 149 is rejected for the same reasons as discussed in claim 136 above.

Claim 152 is rejected for the same reasons as discussed in claim 139 above.

Claim 153 is rejected for the same reasons as discussed in claim 140 above.

Claim 154 is rejected for the same reasons as discussed in claim 141 above and additional Kawamura et al discloses the claimed audio frame (col. 3, lines 47-51).

Claim 155 is rejected for the same reasons as discussed in claims 154 and 142 above.

Claim 156 is rejected for the same reasons as discussed in claim 143 above.

Apparatus claims 183-188, 191-201, and 204-208 are rejected for the same reasons as discussed in the method claims 131-136, 139-149, and 152-156, respectively.

Apparatus claims 235-240, 243-253, and 256- 260 are rejected for the same reasons as discussed in the method claims 131-136, 139-149, and 152-156, respectively.

Regarding claim 157, Kawamura et al discloses a method for storage and display of multimedia data (Figs. 7-8), comprising the steps of: receiving a video signal (col. 3, lines 56-67; Fig. 7); encoding from the television signal an MPEG stream that contains a plurality of video frames and time stamps associated with the video frame (video encoder 1 disclosed in col. 3, lines 47-51 and col. 11, lines 40-67); identifying starting locations of video frames within the MPEG stream and time stamps associated with video frames (col. 11, lines 40-67); storing on a storage device the MPEG stream, starting locations of video frames within the MPEG stream and time stamps associated with the video frames, the storage device additionally containing a plurality of previously stored MPEG streams, starting location of video frames within each of the previously stored MPEG streams and time stamps associated with the video frames within each of

the previously stored MPEG streams (col. 11, lines 40-67); accepting a user control command (col. 12, line 66 to col. 13, line 10); in response to the user control command, selecting a particular video frame from within a particular MPEG stream stored on the storage device using a time stamp associated with the selected particular video frame (col. 13, lines 1-18); retrieving the selected particular video frame using a stored starting location of the selected particular video frame (col. 13, lines 11-44 and col. 14, lines 5-10); and sending the selected particular video frame for display (col. 14, lines 5-10).

However, Kawamura et al does not disclose that the video signal to be an analog television signal.

Wagner discloses a television receiver that receives an analog television signal (Fig. 2 - Fig.4).

One of ordinary skill in the art at the time the invention was made would have been motivated to incorporate the receiving of an analog television signal as disclosed by Wagner into the method disclosed by Kawamura to record television signals since it merely amounts to selecting readily available video format.

However, the proposed combination of Kawamura et al. and Wagner does not disclose concurrently receiving, extracting, and concurrently storing at least two digital television streams.

Takagi et al. disclose concurrently receiving, extracting, and concurrently storing at least two digital television streams (Fig. 13; column 17, line 65 – column 18, line 4; column 18, lines 12-21).

One of ordinary skill in the art at the time the invention was made would have been motivated to incorporate the steps of concurrently receiving, extracting, and concurrently storing at least two digital television streams disclosed by Takagi et al. into the method disclosed by Kawamura et al. and Wagner to implement multi-window display (Takagi et al., column 9, lines 40-46). The incorporated feature would allow viewers to watch a plurality of programs at the same time; thus, further enhancing the interface of the method.

Regarding claim 158, Kawamura et al discloses the claimed wherein the particular video frame is a video I-frame (col. 11, lines 53-67).

Regarding claim 159, Kawamura et al discloses the claimed wherein the retrieving step further comprises: adjusting video frame rate delivery for display of additional video frames in response to the user control command (col. 12, line 66 to col. 13, line 10); adjusting video frame retrieval direction from the particular MPEG stream in response to the user control command (col. 12, line 66 to col. 13, line 10).

Regarding claim 160, Kawamura et al discloses the claimed wherein the retrieving step further comprises: adjusting video frame rate delivery for display of additional video frames in response to a second user control command (col. 12, line 66 to col. 13, line 10); adjusting video frame retrieval direction from the particular MPEG stream in response to the second user control command (col. 12, line 66 to col. 13, line 10).

Regarding claim 161, Kawamura et al discloses the claimed wherein the selecting step substitutes a second storage device for the storage device and selects a

particular video frame from within a particular MPEG stream stored on the second storage device using a time stamp associated with the selected particular video frame (col. 11, lines 40-67).

Regarding claim 162, Kawamura et al discloses the claimed wherein the extracting step extracts an MPEG stream based on a user control command (col. 3, lines 56-67).

Regarding claim 165, Kawamura et al discloses the claimed wherein the storing step further comprises switching to a second storage device for MPEG stream storage (col. 11, lines 40-67).

Regarding claim 166, Kawamura et al discloses the claimed wherein the receiving step further comprises switching to a second analog television signal (col. 11, lines 40-67) in the view that it can be used to record another analog television signal.

Claim 167 is rejected for the same reason as discussed in claim 141 above.

Claim 168 is rejected for the same reason as discussed in claim 141 above and in further consideration of Takagi et al. also disclosing sending the selected particular video frame and the selected second particular video frame to different areas within a display (column 17, lines 32-40, 56-64).

Regarding claim 169, Kawamura et al discloses the claimed wherein the storage device is a hard disk (col. 1, lines 46-53).

Claim 170 is rejected for the same reasons as discussed in claim 157 above and additional Kawamura et al discloses the claimed audio frame (col. 3, lines 47-51).

Claim 171 is rejected for the same reasons as discussed in claim 158 above.

Claim 172 is rejected for the same reasons as discussed in claim 159 above.

Claim 173 is rejected for the same reasons as discussed in claim 160 above.

Claim 174 is rejected for the same reasons as discussed in claim 161 above.

Claim 175 is rejected for the same reasons as discussed in claim 162 above.

Claim 178 is rejected for the same reasons as discussed in claim 165 above.

Claim 179 is rejected for the same reasons as discussed in claim 166 above.

Claim 180 is rejected for the same reasons as discussed in claim 167 above and additionally Kawamura et al discloses the claimed audio frame (col. 3, lines 47-51).

Claim 181 is rejected for the same reasons as discussed in claims 180 and 168 above.

Claim 182 is rejected for the same reasons as discussed in claim 169 above.

Apparatus claims 209-214; 217-227, and 230-234 are rejected for the same reasons as discussed in the method claims 157-162, 165-175, and 178-182, respectively.

Apparatus claims 261-266; 269-279, and 282- 286 are rejected for the same reasons as discussed in the method claims 157-162, 165-175, and 178-182, respectively.

Claims 137, 150, 163, 176, 189, 202, 215, 228, 241, 254, 259, 267, and 280, are rejected under 35 U.S.C. 103(a) as being unpatentable over Kawamura et al (US 5,719,982), Wagner (US Patent 5,600,379), and Takagi et al. (US Patent 5,999,691) as applied to claims 131-136, 139-149, 152-162, 165-175, 178-188, 191-

201, 204-214, 217-227, 230-240, 243-253, 256-266, 269-279, and 282-286 above, and further in view of Logan et al (Re. 36,801).

Regarding claim 137, the proposed combination of Kawamura et al., Wagner, and Takagi et al. discloses all the claimed limitations as discussed in claim 131 above except for providing that the extracting step extracts an MPEG stream based on date and time.

Logan et al teaches that the invention also advantageously includes a clock/calendar unit 15 which is connected to the microprocessor 11 to automatically activate the system at scheduled times. In this way, the system need not be in continuous operation but may instead be activated in advance of scheduled use so that the memory subsystem 5 is fully loaded with prior programming at the time viewing begins in col. 3, lines 38-45.

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the clock/calendar unit 15 as taught by Logan et al into Kawamura et al., Wagner, and Takagi et al.'s system in order to automatically activate the system at scheduled times.

Claim 150 is rejected for the same reasons as discussed in claim 137 above.

Regarding claim 163, the proposed combination of Kawamura et al., Wagner, and Takagi et al. discloses all the claimed limitations as discussed in claim 157 above except for providing that the extracting step extracts an MPEG stream based on date and time.

Logan et al teaches that the invention also advantageously includes a clock/calendar unit 15 which is connected to the microprocessor 11 to automatically activate the system at scheduled times. In this way, the system need not be in continuous operation but may instead be activated in advance of scheduled use so that the memory subsystem 5 is fully loaded with prior programming at the time viewing begins in col. 3, lines 38-45.

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the clock/calendar unit 15 as taught by Logan et al into Kawamura et al., Wagner, and Takagi et al.'s system in order to automatically activate the system at scheduled times.

Claim 176 is rejected for the same reasons as discussed in claim 163 above.

Claim 189 is rejected for the same reasons as discussed in claim 137 above.

Claim 202 is rejected for the same reasons as discussed in claim 137 above.

Claim 215 is rejected for the same reasons as discussed in claim 163 above.

Claim 228 is rejected for the same reasons as discussed in claim 163 above.

Claim 241 is rejected for the same reasons as discussed in claim 137 above.

Claim 254 is rejected for the same reasons as discussed in claim 137 above.

Claim 267 is rejected for the same reasons as discussed in claim 163 above.

Claim 280 is rejected for the same reasons as discussed in claim 163 above.

Claims 138, 151, 164, 177, 190, 203, 216, 229, 242, 255, 268, and 281 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kawamura et al (US 5,719,982), Wagner (US Patent 5,600,379), and Takagi et al. (US Patent 5,999,691)

as applied to claims 131-136, 139-149, 152-162, 165-175, 178-188, 191-201, 204-214, 217-227, 230-240, 243-253, 256-266, 269-279, and 282-286 above, and further in view Yuen et al (US 5,488,409).

Regarding claim 138, the proposed combination of Kawamura et al., Wagner , and Takagi et al. discloses all the claimed limitations as discussed in claim 131 above except for providing that the extracting step extracts an MPEG stream based on a particular word or particular phrase in the digital television stream.

Yuen et al teaches an apparatus and method for tracking the playing of VCR programs including means for automatically selecting the broadcast signal for tuner based on particular word or phrase in said broadcast signal (program guide disclosed col. 31, lines 29-41).

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the capability of selecting video program based on program guide as taught by Yuen et al into Kawamura et al., Wagner, and Takagi et al.'s system in order to increase the flexibility of Logan et al by programming the video recorder using the program guide for recording shows during his absence or sleep.

Claim 151 is rejected for the same reasons as discussed in claim 138 above.

Regarding claim 164, the proposed combination of Kawamura et al., Wagner, and Takagi et al. discloses all the claimed limitations as discussed in claim 157 above except for providing that the extracting step extracts an MPEG stream based on a particular word or particular phrase in the digital television stream.

Yuen et al teaches an apparatus and method for tracking the playing of VCR programs including means for automatically selecting the broadcast signal for tuner based on particular word or phrase in said broadcast signal (program guide disclosed col. 31, lines 29-41).

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the capability of selecting video program based on program guide as taught by Yuen et al into Kawamura et al., Wagner, and Takagi et al.'s system in order to increase the flexibility of Logan et al by programming the video recorder using the program guide for recording shows during his absence or sleep.

Claim 177 is rejected for the same reasons as discussed in claim 164 above.

Claim 190 is rejected for the same reasons as discussed in claim 138 above.

Claim 203 is rejected for the same reasons as discussed in claim 138 above.

Claim 216 is rejected for the same reasons as discussed in claim 164 above.

Claim 229 is rejected for the same reasons as discussed in claim 164 above.

Claim 242 is rejected for the same reasons as discussed in claim 138 above.

Claim 255 is rejected for the same reasons as discussed in claim 138 above.

Claim 268 is rejected for the same reasons as discussed in claim 164 above.

Claim 281 is rejected for the same reasons as discussed in claim 164 above.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

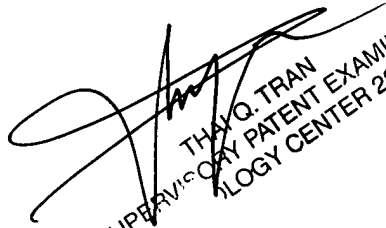
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hung Q. Dang whose telephone number is 571-270-1116. The examiner can normally be reached on M-Th:7:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thai Tran can be reached on 571-272-7382. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Hung Dang
Patent Examiner



THAO Q. TRAN
SUPERVISORY PATENT EXAMINER
EBC CENTER 2600